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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/047,085	01/14/2002	Katsushi Fujita	02006/HG	5385

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EXAMINER	
BAKER, CHARLOTTE M	
ART UNIT	**PAPER NUMBER**
2626	

DATE MAILED: 12/13/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/047,085	FUJITA ET AL.	
	Examiner	Art Unit	
	Charlotte M. Baker	2626	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☐ Responsive to communication(s) filed on _____.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-17* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-8 and 11-15* is/are rejected.

7)☒ Claim(s) *9,10,16 and 17* is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☒ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *14 January 2002* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☒ All b)☐ Some * c)☐ None of:

1.☒ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

[illegible] GRANT II
[illegible] EXAMINER

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

Priority

1. Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

Specification

2. The disclosure is objected to because of the following informalities: p. 36, 2nd full par., replace "used a four-dimensional" with --used as a four-dimensional--; p. 39, 1st full par., replace "example a case" with --example of a case--.

Appropriate correction is required.

Claim Objections

3. Claim 3 is objected to because of the following informalities: replace "exposing based the" with --exposing based on the--. Appropriate correction is required.

4. The following is a quotation of 37 C.F.R. 1.75 (d)(1):

> The claim or claims must conform to the invention as set forth in the remainder of the specification and the terms and phrases used in the claims must find clear support or antecedent basis in the description so that the meaning of the terms in the claims may be ascertainable by reference to the description.

5. Claims 2-6 and 12-15are objected to because of the following informalities: it is not clear from the specification what the first or second boundary values are.

Claim Rejections - 35 USC § 103

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

7. Claims 1-8 and 11-15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kohler (6,778,300) in view of Usami (6,160,912).

Regarding claim 1: Kohler discloses an image signal input section (Fig. 5, color management module 144) to receive the image signal (Fig. 5, source image 210); a black component correcting section (Fig. 5, black generation algorithm 182) to correct the black component data K on the basis of the yellow, magenta and cyan component data Y, M, C for each pixel in accordance with a predetermined black component correcting condition (col. 11, ln. 4-17); an image signal output section (printer 90, col. 11, ln. 11-13) to output an image signal (Fig. 5, destination color data 230) including yellow, magenta, cyan and corrected-black component data Y, M, C, K' (Fig. 5, output of black generation algorithm 182).

Kohler fails to specifically address a color proof printed on film material.

Usami discloses a color proof making section (Fig. 1, proof generating device 16) to expose a silver halide light sensitive material (col. 3, ln. 46-50) based on the outputted image signal with a plurality of light sources different in wavelength and to make a color proof sheet for each color of yellow, magenta, cyan and black (col. 3, ln. 44-50 and col. 3, ln. 65-67).

It would have been obvious to a person of ordinary skill in the art at the time of the invention to include a color proof printer (proof output device 20 of Usami in place of printer 90 of Kohler) capable of outputting onto film material to more accurately achieve a desired color reproduction.

Regarding claim 2: Kohler in view of Usami satisfy all the elements of claim 1. Kohler further discloses wherein in accordance with the predetermined black component correcting condition (col. 11, ln. 4-17), the black component correcting section (Fig. 5, black generation algorithm

182) compares a value of the black component data K with a first boundary value (col. 7, ln. 9-19) and compares a maximum value of the yellow, magenta or cyan component data Y, M, or C with a second boundary value (col. 6, ln. 54 through ln. 8) and wherein when the value of the black component data K is larger than the first boundary value and the maximum value is larger than the second boundary value, the black component correcting section (Fig. 5, black generation algorithm 182) reduces the value of the black component data in accordance with the value of the black component data K and the maximum value (col. 7, ln. 9-38).

Regarding claim 3: Kohler in view of Usami satisfy all the elements of claim 2.

Kohler further discloses and corrected-black component data Y, M, C, K' (Fig. 5, output of black generation algorithm 182).

Kohler fails to specifically address halftone dot generation and the color proof making section exposure.

Usami discloses a halftone dot generating section (Fig. 1, output of input device 12) to generate and output halftone dot image data of halftone dot area ratios on the basis of the yellow, magenta, cyan (CMY) and the color proof making section (Fig. 1, proof generating device 16) conducts exposing based on the halftone dot image data (col. 3, ln. 39-50).

It would have been obvious to a person of ordinary skill in the art at the time of the invention to include a color proof printer (proof output device 20 of Usami in place of printer 90 of Kohler) capable of outputting onto film material and utilizing the halftone dot percentages to more accurately achieve a desired color reproduction.

Regarding claim 4: Kohler in view of Usami satisfy all the elements of claim 3. Kohler further discloses wherein the first boundary value is not smaller than 50% and smaller than 100% as

expressed by percent (col. 6, ln. 59 through ln. 1 and col. 7, ln. 9-38). Examiner interprets the boundaries for the K value can be changed depending upon the percentages of the CMY values; therefore, the claimed boundary could exist depending upon the CMY values.

Kohler fails to specifically address halftone dot generation.

Usami discloses as converted into halftone dot area ratio (col. 3, ln. 39-50).

Regarding claim 5: Kohler in view of Usami satisfy all the elements of claim 2. Arguments analogous to those stated in the rejection of claim 4 are applicable. Examiner interprets the boundaries for the K value can be changed depending upon the percentages of the CMY values; therefore, the claimed boundary could exist depending upon the CMY values.

Regarding claim 6: Kohler in view of Usami satisfy all the elements of claim 3. Arguments analogous to those stated in the rejection of claim 4 are applicable. Examiner interprets the boundaries for the K value can be changed depending upon the percentages of the CMY values; therefore, the claimed boundary could exist depending upon the CMY values.

Regarding claim 7: Kohler in view of Usami satisfy all the elements of claim 1. Kohler further discloses a characteristic correcting section (Fig. 1, destination color transform 186) to correct **at least one of a** gradation correction and a color tone characteristic of the image signal (Fig. 1, destination color transform 186).

Regarding claim 8: Kohler in view of Usami satisfy all the elements of claim 7. Kohler further discloses wherein the black component correcting section (Fig. 5, black generation algorithm 182) corrects the black component data K after the characteristic correcting section (Fig. 1, destination color transform 186) corrects **one of the** gradation correction and the color tone characteristic of the image signal (Fig. 1, destination color transform 186).

Regarding claim 11: The structural elements of apparatus claim 1 perform all of the steps of method claim 11. Thus, claim 11 is rejected for the same reasons discussed in the rejection of claim 1.

Regarding claim 12: Kohler in view of Usami satisfy all the elements of claim 11. The structural elements of apparatus claim 2 perform all of the steps of method claim 12. Thus, claim 12 is rejected for the same reasons discussed in the rejection of claim 2.

Regarding claim 13: Kohler in view of Usami satisfy all the elements of claim 12. The structural elements of apparatus claim 4 perform all of the steps of method claim 13. Thus, claim 13 is rejected for the same reasons discussed in the rejection of claim 4.

Regarding claim 14: Kohler in view of Usami satisfy all the elements of claim 12. The structural elements of apparatus claim 5 perform all of the steps of method claim 14. Thus, claim 14 is rejected for the same reasons discussed in the rejection of claim 5.

Regarding claim 15: Kohler in view of Usami satisfy all the elements of claim 12. The structural elements of apparatus claim 6 perform all of the steps of method claim 15. Thus, claim 15 is rejected for the same reasons discussed in the rejection of claim 6.

Allowable Subject Matter

8. Claims 9-10, and 16-17 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Charlotte M. Baker whose telephone number is 571-272-7459. The examiner can normally be reached on Monday-Friday 8:30-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kimberly A. Williams can be reached on 571-272-7471. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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JEROME GRANT II
PRIMARY EXAMINER